

UNITED STATES DISTRICT COURT  
for the  
District of Arizona

In the Matter of the Search of  
DNA associated with Garland Spencer (YOB 1963)  
in Cornfields, Arizona.

Case No. 24-04025 MB

**ELECTRONICALLY ISSUED SEARCH AND SEIZURE WARRANT**

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of Arizona:

**As further described in Attachment A.**

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal:

**As set forth in Attachment B.**

**YOU ARE COMMANDED** to execute this warrant on or before February 26, 2024 *(not to exceed 14 days)*

☒ in the daytime 6:00 a.m. to 10:00 p.m.

☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to any United States Magistrate Judge on criminal duty in the District of Arizona.

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized ☐ for 30 days *(not to exceed 30)* ☐ until, the facts justifying, the later specific date of \_\_\_\_\_.

Date and time issued: February 12, 2024

City and state: Flagstaff, Arizona

**Camille D Bibles**

*Judge's signature*

Honorable Camille D. Bibles, U.S. Magistrate Judge  
*Printed name and title*

Digitally signed by Camille D

Bibles

Date: 2024.02.12 15:07:31 -07'00'

Return		
Case No.: 24-04025 MB	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of :		
Inventory of the property taken and name of any person(s) seized:             		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p> <p>Date: _____</p> <p style="text-align: right;">_____ <i>Executing Officer's Signature</i></p> <p style="text-align: right;">_____ <i>Printed Name and Title</i></p>		

**ATTACHMENT A**

**PERSON TO BE SEARCHED**

Garland SPENCER (YOB 1963). The image below is a photo of SPENCER dated August 31, 2020.



**ATTACHMENT B**

**ITEMS TO BE SEIZED**

Evidence in the form of deoxyribonucleic acid (DNA) to be obtained from Garland SPENCER, as further described in Attachment A, through cotton/buccal swabs in the mouth. The process of collection will be limited to the seizure of DNA using two (2) buccal swabs. The method of collection will be oral, that is, by inserting the buccal swabs into SPENCER's mouth for the purpose of collecting saliva and cheek cells.

## UNITED STATES DISTRICT COURT

for the  
District of ArizonaIn the Matter of the Search of  
DNA associated with Garland Spencer (YOB 1963)  
in Cornfields, Arizona.

Case No. 24-04025 MB

## ELECTRONICALLY SUBMITTED APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

**As further described in Attachment A**

located in the District of Arizona, there is now concealed:

**As set forth in Attachment B.**

The basis for the search under Fed. R. Crim. P. 41(c) is:

- ☒ evidence of a crime;  
☐ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:


<i>Code/Section</i>	<i>Offense Description</i>
18 U.S.C. §§ 1153 and 2241(a)	Aggravated Sexual Abuse
18 U.S.C. §§ 1153 and 2244(a)(1)	Abusive Sexual Contact of a Minor
18 U.S.C. §§ 1153 and 2242(3)	Sexual Abuse without Consent

The application is based on these facts:

**See attached Affidavit of Special Agent Regina Sena**

- ☒ Continued on the attached sheet.  
☐ Delayed notice of 30 days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Reviewed by AUSA Christina Reid-Moore

 Digitally signed by  
CHRISTINA REID-MOORE  
Date: 2024.02.12  
11:54:26 -07'00'

  
Applicant's Signature

Regina Sena, FBI Special Agent

Printed name and title

**Camille D Bibles**

Digitally signed by Camille D  
Bibles

Date: 2024.02.12 15:07:11 -07'00'

Judge's signature

Sworn to telephonically.

Date: February 12, 2024

City and state: Flagstaff, Arizona

Honorable Camille D. Bibles, U.S. Magistrate Judge

Printed name and title



**ATTACHMENT A**

**PERSON TO BE SEARCHED**

Garland SPENCER (YOB 1963). The image below is a photo of SPENCER dated August 31, 2020.



**ATTACHMENT B**

**ITEMS TO BE SEIZED**

Evidence in the form of deoxyribonucleic acid (DNA) to be obtained from Garland SPENCER, as further described in Attachment A, through cotton/buccal swabs in the mouth. The process of collection will be limited to the seizure of DNA using two (2) buccal swabs. The method of collection will be oral, that is, by inserting the buccal swabs into SPENCER's mouth for the purpose of collecting saliva and cheek cells.

**ELECTRONICALLY SUBMITTED AFFIDAVIT OF PROBABLE CAUSE**

Your affiant, Regina Sena, a Special Agent with the Federal Bureau of Investigation, states under oath as follows:

**Introduction and Agent Background**

1. Your affiant is employed as a Special Agent (SA) of the Federal Bureau of Investigation (FBI), and she has been so employed since March 2018. Your affiant is currently assigned to the Gallup, New Mexico, Resident Agency of the Phoenix, Arizona, FBI Field Division. In the course of my official duties, I am charged with the investigation of crimes occurring on the Navajo Nation Indian Reservation within the Federal District of Arizona. Your affiant's primary duties include the investigation of violent crimes committed in Indian Country, to include the Navajo Nation Indian Reservation, which is within the District of Arizona. According to the United States Department of Interior, Bureau of Indian Affairs (BIA) Federal Register, the Navajo Nation Indian Tribe is a federally recognized Indian tribe.

2. As further described in Attachments A and B, I am requesting that the court issue a search warrant, pursuant to Federal Rule of Criminal Procedure 41, to search for evidence in the form of deoxyribonucleic acid (DNA), located in and on the body of Garland SPENCER (YOB 1963), who resides at W MP 95 RT 15, Cornfields, Arizona 86505. There is probable cause to believe SPENCER's DNA is evidence of violations of 18 U.S.C. §§ 1153 and 2241(a) (Aggravated Sexual Abuse), 18 U.S.C. §§ 1153 and 2244(a)(1)



(Abusive Sexual Contact of a Minor), and 18 U.S.C. §§ 1153 and 2242(3) (Sexual Abuse without Consent).

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, officers, investigators, and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter. I have set forth only the facts I believe are necessary to establish probable cause to believe evidence of the above-listed violations, is located within the person of SPENCER, more fully described in Attachment A.

#### **Probable Cause**

4. On December 30, 2023, Sage Memorial Hospital notified Navajo Police Department of a rape of M.S., an adult Navajo female with fetal alcohol syndrome. M.S. was 34 weeks pregnant when she was examined at the hospital. As described below, it was reported SPENCER raped M.S. at his residence in April of 2023. M.S.'s family filed a Navajo Police Department (NPD) report on December 30, 2023, while being attended to at Sage Memorial Hospital (SMH) in Ganado, Arizona.

#### **Interview of M.S. at Sage Memorial Hospital**

5. On December 30, 2023, at approximately 9:31pm, NPD received a call from SMH regarding a pregnant female with fetal alcohol syndrome wanting to report a sexual assault. NPD responded to SMH and spoke with M.S. According to M.S., she was touched by a male individual named "Garland." "Garland" took off M.S.'s clothes and touched M.S. on

her private parts. M.S. pointed to her breasts and vagina when she said private parts. According to the NPD incident report, M.S. stated this happened on December 30, 2023, at her residence.

#### **Interview of family members at Sage Memorial Hospital**

6. Ma.S. and C.S. were with M.S. at SMH on December 30, 2023. Ma.S. is M.S.'s uncle and caregiver. C.S. is M.S.'s aunt and caregiver. Ma.S. and C.S. did not know M.S. was pregnant until the ultrasound was done that same night at SMH. Ma.S. and C.S. believe that M.S. was sexually assaulted in April 2023. C.S. used to "be with" SPENCER, but their relationship ended a while back.

#### **Forensic Interview of M.S.**

7. On February 6, 2024, M.S. was forensically interviewed by an FBI Child and Adolescent Forensic Interviewer (CAFI) at the FBI Gallup Resident Agency in Gallup, New Mexico. SPENCER raped M.S. at SPENCER's house. SPENCER's house is red with a white door. M.S. defines rape as "when someone takes your clothes off, touches you, and rapes you hard." SPENCER took off M.S.'s clothes, squeezed her breasts with his hand, put his mouth on her breasts, touched her butt with his hands, and put his penis inside M.S.'s "private part" without a condom. M.S. described her private part as the place where she gets her period. SPENCER was moving when his penis was inside her private part. M.S. tried to push SPENCER off and said, "Don't do this!" M.S. remembers her "brain freaking out," like there was "lightning" inside her brain. SPENCER raped M.S. once on a mattress on the floor which had red sheets and three times on a mattress on the bed which

had white sheets. When SPENCER was done, he cleaned his penis off with a tissue and gave M.S. some baby wipes to clean herself up. SPENCER told M.S., “Don’t tell no one about it and he would buy her something from the store.” M.S. remembers SPENCER taking pictures and videos of her naked. SPENCER used his “black phone with buttons on top and a recording thing on it” to take pictures and videos of M.S. after SPENCER raped her. M.S. does not know the exact date when the rape occurred, but said it was “kind of cold” outside and there was no fire going in the house. No one saw or heard what SPENCER did to M.S., but M.S. told her “mom,” C.S., the day it happened. No one, other than SPENCER, has touched or raped M.S. M.S. had her baby at home, in the toilet, and named her daughter, Bella.

#### **Interview of C.S.**

8. On February 7, 2024, C.S. was interviewed by the affiant and a Navajo Criminal Investigator in Window Rock, Arizona. C.S. used to be with SPENCER. They broke up in August 2023. C.S. worked weekends in Nazlini, Arizona in April 2023. SPENCER watched M.S. and JOHN DOE at his residence in Cornfields, Arizona while C.S. was at work. M.S. did not see SPENCER after April 2023. C.S. did not know about what SPENCER did to M.S. until they were at SMH on December 30, 2023. When C.S. asked M.S. about who got her pregnant, M.S. responded “Uncle Garland.” It is normal for M.S. to have trouble remembering timelines. SPENCER is the only person that M.S. has named as the father of her child.

9. C.S. knows SPENCER uses methamphetamine because she found a small baggie with “white stuff” in it and SPENCER told C.S. that it was methamphetamine in the baggie.

According to C.S., SPENCER stopped using methamphetamine for the majority of their relationship but started using again a few months before C.S. left.

10. During their relationship, C.S. found a trash bag filled with ladies' underwear in SPENCER's attic. SPENCER said that the bag belonged to his deceased brother, but C.S. continued to find ladies' underwear in SPENCER's residence periodically.

11. C.S. brought some additional mattresses to SPENCER's house. C.S. remembers there being light brown sheets and maroon sheets in the house but knows there were other colors as well.

12. SPENCER previously drove a Mercedes, but the vehicle no longer works and is parked on the side of SPENCER's house. SPENCER does not have any other vehicles. SPENCER's house is red with a gray roof. While C.S. was with SPENCER, he was not employed and spent most of his time at home.

#### **Forensic Interview of JANE DOE**

13. On February 5, 2024, JANE DOE was forensically interviewed by an FBI Child and Adolescent Forensic Interviewer (CAFI) at the FBI Gallup Resident Agency in Gallup, New Mexico. JANE DOE stayed with C.S. and SPENCER for the month of June or July 2023. They stayed at SPENCER's residence in Cornfields, Arizona. SPENCER's residence is about a half mile from "strawberry hill" near Ganado, Arizona.

14. C.S. went to work most days and would sometimes leave JANE DOE with SPENCER. On one day, SPENCER stopped at a house on the way home and told JANE DOE not to tell C.S. that they had stopped at the house. When they got home, SPENCER

disappeared for a little bit and then became sweaty and greasy. JANE DOE has seen SPENCER with “small baggies of crystalized stuff.”

15. A little while after JANE DOE saw SPENCER sweating, SPENCER grabbed JANE DOE by both arms and pinned her down on the couch. JANE DOE was able to get herself free from SPENCER and ran out of the house. SPENCER chased JANE DOE through a ditch but did not catch her. SPENCER was yelling “wait” and “I’m sorry” while he chased JANE DOE.

16. After hiding for a little while, JANE DOE returned to SPENCER’s residence when she thought SPENCER was not around and began looking for an old telephone. SPENCER was in the house and grabbed the phone from JANE DOE. SPENCER grabbed JANE DOE and pushed her down again. This time SPENCER held both of JANE DOE’s arms with one of his hands. SPENCER used his other hand to squeeze JANE DOE’s breast, under her clothes, but over her bra. JANE DOE was yelling “stop,” “get off of me,” and “what’s wrong with you” at SPENCER, but SPENCER did not say anything. SPENCER then tried to take off JANE DOE’s shirt, but she kneed SPENCER in the side and ran.

17. JANE DOE hid outside all night, even after her aunt, C.S. returned from work. The next morning JANE DOE walked to a nearby house and was driven to Navajo Nation Window Rock District Social Services and Navajo Nation Window Rock District Police Department. JANE DOE told social services and the police what happened. JANE DOE’s “mom,” Me.S., showed up at the police department and told the police that JANE DOE lies a lot. C.S. and SPENCER also showed up at the police department. The police spoke with SPENCER and he denied everything.

18.SPENCER was shirtless when he pinned JANE DOE down. SPENCER has “Arizona” tattooed across his stomach and has multiple tattoos on both arms.

### **Additional Investigation**

19.SPENCER is an enrolled member of the Navajo Indian Tribe and possesses ½ degree Navajo Indian blood, according to his Navajo Certificate of Indian Blood.

20.SPENCER’s residence in Cornfields, Arizona is located within the confines of the Navajo Nation Indian Reservation, Indian Country, in the District of Arizona.

### **Conclusion**

21. Based on the aforementioned facts, I respectfully submit there is probable cause to believe evidence described in Attachment A, will support an investigation related to violations of the above-listed statutes, and request a search warrant to take buccal swabs from the person of Garland SPENCER. The process of collection will be limited to the seizure of DNA using two (2) buccal swabs. The method of collection will be oral, that is, by inserting the buccal swabs into SPENCER’s mouth for the purpose of collecting saliva and cheek cells.



I declare under penalty of perjury under the laws of the United States of America that  
the foregoing is true and correct.

Dated: \_\_\_\_\_



Special Agent Regina Sena  
Federal Bureau of Investigation

Telephonically subscribed and sworn to before me this 12 day of February, 2024.

Camille D  
Bibles

Digitally signed by Camille  
D Bibles  
Date: 2024.02.12 15:06:43  
-07'00'

HONORABLE CAMILLE D. BIBLES  
United States Magistrate Judge  
District of Arizona